

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOC #:
DATE FILED: 4/17/20

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_____,
WALIED SHATER
Plaintiff,
- against -
AMERICAN LIFE INSURANCE CO.,
Defendant.
-----X

18 Civ. 4726 (VM)

ORDER
CONDITIONAL DISCONTINUANCE

VICTOR MARRERO, United States District Judge.

Counsel for defendant, on behalf of the parties, having notified the Court, by letter dated January 14, 2020, a copy of which is attached, that the parties have reached an agreement in principle to settle this action without further litigation, it is hereby

ORDERED, that this action be conditionally discontinued without prejudice and without costs. Within thirty (30) days of the date of this Order, the parties may submit to the Court their own Stipulation of Dismissal for the Court to So Order. Any application for restoration of the action to the active calendar of this Court must be made by letter within thirty (30) days of the date of this order. Upon such notification, the defendant shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within ten days of the plaintiff's application for reinstatement, to schedule remaining pre-trial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event plaintiff has not requested restoration of the case to the

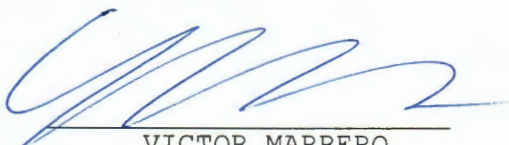
active calendar within such period of time.

The conference scheduled for January 17, 2020 is canceled but shall be rescheduled as set forth above in the event plaintiff notifies the Court that the parties' settlement was not effectuated and that such conference is necessary to resume pretrial proceedings herein.

The Clerk of Court is directed to terminate any pending motions and to close this case.

SO ORDERED.

Dated: NEW YORK, NEW YORK
17 January 2020


VICTOR MARRERO
U.S.D.J.



Proskauer Rose LLP Eleven Times Square New York, NY 10036-8299

January 14, 2020

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By Facsimile

The Honorable Victor Marrero
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: Walied Shater v. American Life Insurance Co., Case No. 18-CV-04726-VM

Dear Judge Marrero:

Defendant American Life Insurance Co. and Plaintiff Walied Shater (collectively, the "Parties") respectfully submit this joint letter on behalf of the Parties to advise the Court that the matter has been resolved.

The parties are scheduled to appear for a conference before your Honor on Friday, January 17. We respectfully request that the Court adjourn that conference in light of the resolution. We anticipate filing a Stipulation of Dismissal within the next ten (10) days.

Respectfully Submitted,

/s/ Joseph C. O'Keefe

Joseph C. O'Keefe

/s/ Jonathan A. Bernstein

Jonathan A. Bernstein, Esq.